

Exhibit 4

From: [Katz, Katherine R.](#)
To: [Peggy Wedgworth](#); [Jonke, Kevin M.](#); [Long, Emily Merki](#); [Brier, Grace C.](#); [Dorris, Daniel V.](#); [Liz McKenna](#); [*mnemelka@kelloggghansen.com](#); [Ho, Derek T.](#); [Jones, Bethan R.](#); [White, Collin R.](#); [Hafenbrack, Joshua](#); [Mike Acciavatti](#); [Robert A. Wallner](#); [John Hughes](#); [DMSTeam](#); [Briggs, Kimberly A.](#)
Subject: RE: In re DMS - Meet and Confer Follow up
Date: Friday, April 26, 2024 2:10:25 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Peggy,

We disagree that the limited surreply that you propose is reasonable or sufficient given Plaintiffs' filings and will seek relief from the court.

Best,
Kate

Katherine R. Katz

Kirkland & Ellis LLP
1301 Pennsylvania Ave., NW | Washington, D.C. 20004
DIRECT: 202.389.5184 | FAX 202.389.5200
katherine.katz@kirkland.com

From: Peggy Wedgworth <PWedgworth@milberg.com>
Sent: Monday, April 22, 2024 12:20 PM
To: Jonke, Kevin M. <kevin.jonke@kirkland.com>; Katz, Katherine R. <katherine.katz@kirkland.com>; Long, Emily Merki <emily.long@kirkland.com>; Brier, Grace C. <grace.brier@kirkland.com>; Dorris, Daniel V. <ddorris@kelloggghansen.com>; Liz McKenna <emckenna@milberg.com>; *mnemelka@kelloggghansen.com <mnemelka@kelloggghansen.com>; Ho, Derek T. <dho@kelloggghansen.com>; Jones, Bethan R. <bjones@kelloggghansen.com>; White, Collin R. <cwhite@kelloggghansen.com>; Hafenbrack, Joshua <jhafenbrack@kelloggghansen.com>; Mike Acciavatti <MAcciavatti@milberg.com>; Robert A. Wallner <RWallner@milberg.com>; John Hughes <JHughes@milberg.com>; *dmsteam@milberg.com <dmsteam@milberg.com>; Briggs, Kimberly A. <kbriggs@kelloggghansen.com>
Subject: In re DMS - Meet and Confer Follow up

Kate and Kevin,

We disagree with the inaccurate statements and legal arguments raised in CDK's April 17 letter regarding a sur-reply. While the meet and confer on Friday did not resolve any of our concerns, in the spirit of cooperation, we propose the following:

CDK may file a one 7-page sur-reply and accompanying expert report *limited to* responding to arguments that concern the recently-produced Authenticom data. The sur-reply and expert report will be filed on May 20, 2024 (when CDK's *Daubert* replies/opposition are due). Vendors and Dealers each may file a 7-page response to the sur-reply on June 10, 2024,

limited to the same topic with accompanying expert report.

Again, although we do not believe a sur-reply is necessary, we have made this proposal in an effort to avoid wasting the Court's time and resources. However, if an agreement cannot be reached and CDK seeks relief from the Court, both Dealers and Vendors will be filing oppositions to any request.

Regards,

Peggy Wedgworth and Mike Nemelka

Peggy J. Wedgworth

Senior Partner



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-----Original Appointment-----

From: Jonke, Kevin M. <kevin.jonke@kirkland.com>

Sent: Thursday, April 18, 2024 10:48 AM

To: Katz, Katherine R.; Long, Emily Merki; Brier, Grace C.; Dorris, Daniel V.; Liz McKenna; Peggy Wedgworth; *mnemelka@kellogghansen.com; Ho, Derek T.; Jones, Bethan R.; White, Collin R.; Hafenbrack, Joshua; Mike Acciavatti; Robert A. Wallner; John Hughes; DMSTeam; Briggs, Kimberly A.

Subject: In re DMS - Meet and Confer

When: Friday, April 19, 2024 1:00 PM-1:30 PM (UTC-06:00) Central Time (US & Canada).

Where: <https://kirkland.zoom.us/j/92314429557?pwd=eHNTL2dzTmJrdFNmTG9UUkRaTk5kZz09>

Kevin Jonke is inviting you to a scheduled Zoom meeting.

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149.137.68.253 (Mexico)

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